

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Butler Road, 3400' NE of its  
intersection w/Piney Grove Road \* DEPUTY ZONING COMMISSIONER  
(3600 Butler Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 95-259-SPH  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - \*  
Petitioner

\* \* \* \* \*

SECOND AMENDED ORDER

This matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing seeking approval of a non-density transfer of a portion of the subject property, zoned R.C. 2, and a waiver to the maximum length permitted for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.), in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The relief requested was granted, subject to restrictions, by Order issued May 16, 1995.

Subsequent to the issuance of said Order, Counsel for the Petitioners advised this office of certain discrepancies within the Order as to the relationship of the parcels affected by the non-density transfer and requested an amendment to clarify same. Thus, an amended Order was issued on June 15, 1995.

Thereafter, by letter dated July 11, 1995, Counsel for the Petitioners advised this office that a variation of the septic reserve area for Lot 2 had occurred during the minor subdivision process, and as such, a slight modification of the site plan approved in the Amended Order was necessary. Counsel for the Petitioner then requested a reconsideration of

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

the Amended Order and approval of the minor subdivision plan, which was submitted and accepted into evidence as Petitioner's Exhibit 1A, as being consistent with the spirit and intent of the amended order.

After reviewing the case file and the minor subdivision plan, which more clearly identifies the relationship of the parcels in question, it is clear that a Second Amended Order is necessary.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13<sup>th</sup> day of July, 1995 that the Motion for Reconsideration filed in the above-captioned matter by letter dated July 11, 1995, be and the same shall hereby be GRANTED and that the Amended Order issued June 15, 1995 be and is hereby AMENDED as follows:

THAT the property which is the subject of this request consists of 348.061 acres, more or less, zoned R.C.2, and has been divided into three (3) parcels as shown on the approved minor subdivision plan which was accepted into evidence as Petitioner's Exhibit 1A;

THAT two of the three parcels now comprise a gross area of 58.797 acres, more or less, which are to be transferred to the Petitioner's other holdings for non-density purposes;

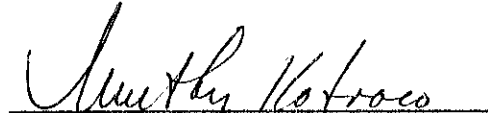
THAT, the third parcel, which has been subdivided from the property to create Lot 2 for another family member pursuant to the approved minor subdivision plan, was slightly increased to accommodate the new septic reserve area and now consists of 13.874 acres; and,

ORDER RESERVING FOR FILING  
Date 7/13/95  
By [Signature]

6/27/95

THAT the remainder of the subject property will consist of approximately 275.087 acres, and has been identified as Lot 1 on Petitioner's Exhibit 1A.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued May 16, 1995, and subsequent Order issued June 15, 1995 shall remain in full force and effect.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard, 210 Allegheny Ave., Towson, Md. 21204

Mr. William McMillan, Jr.  
P.O. Box 3603, Glyndon, Md. 21071

Ms. Eleanor McMillan  
4919 Westway Drive, Bethesda, Md. 20816-1727

Mr. Bruce Doak, Gerhold, Cross & Etzel  
320 E. Towsontown Blvd., Towson, Md. 21286

People's Counsel; File

ORDER RECEIVED FOR FILING

Date 7/13/95  
By [Signature]

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Butler Road, 3400' NE of its  
intersection w/Piney Grove Road \* DEPUTY ZONING COMMISSIONER  
(3600 Butler Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \*  
Case No. 95-259-SPH  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - \*  
Petitioner

\* \* \* \* \*

AMENDED ORDER

This matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing seeking approval of a non-density transfer of a portion of the subject property, zoned R.C. 2, and a waiver to the maximum length permitted for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.), in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The relief requested was granted, subject to restrictions, by Order issued May 16, 1995.

Subsequent to the issuance of said Order, Counsel for the Petitioners advised this office of certain discrepancies within the Order and requested an amendment to clarify same.

After reviewing the case file and the information submitted to clarify the relationship of the parcels in question, it appears that an Amended Order is warranted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of June, 1995 that the Order dated May 16, 1995 be and the same shall hereby be AMENDED as follows:

The property which is the subject of this request consists of 348.061 acres, more or less, zoned R.C.2, and has been divided into five (5) parcels as shown on Petitioner's Exhibit 1. Two of the five parcels

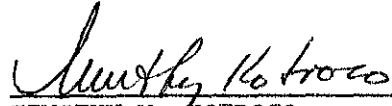
ORDER RECEIVED FOR FILING

Date

By

comprise the 59.482 acres to be transferred for non-density purposes. These two parcels are outlined in pink on Petitioner's Exhibit 1 and are to be transferred to the Petitioner's other holdings, which are outlined in orange on the plan, for non-density purposes. A third parcel, which is outlined in green on the plan, contains 13.189 acres and is to be subdivided from the property to create Lot 2 for another family member. There will be a slight increase in the size of Lot 2 to accommodate a new septic area. Upon completion of the non-density transfer, and the minor subdivision to create proposed Lot 2, the remainder of the subject property will consist of approximately 275.390 acres, which has been identified as Lot 1 on the plan. Lot 1 is outlined in purple on Petitioner's Exhibit 1.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued May 16, 1995 shall remain in full force and effect.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard, 210 Allegheny Ave., Towson, Md. 21204

Mr. William McMillan, Jr.  
P.O. Box 3603, Glyndon, Md. 21071

Ms. Eleanor McMillan  
4919 Westway Drive, Bethesda, Md. 20816-1727

Mr. Bruce Doak, Gerhold, Cross & Etzel  
320 E. Towsontown Blvd., Towson, Md. 21286

People's Counsel; File

ORDER RECORDED FOR FILING  
Date 6/15/95  
By [Signature]

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IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Butler Road, 3400' NE of its  
intersection w/Piney Grove Road \* DEPUTY ZONING COMMISSIONER  
(3600 Butler Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 95-259-SPH  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - \*  
Petitioner

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 3600 Butler Road, located in the vicinity of Glyndon. The Petition was filed by the owner of the property, the Estate of William McMillan, by William McMillan, Jr., Trustee, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of a non-density transfer of a portion of the subject property, zoned R.C. 2, and a waiver to the maximum length for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.). The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were William McMillan, Jr., Eleanor McMillan, Bruce Doak, Professional Engineer, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property is part of a larger tract containing a gross area of 372 acres, more or less, zoned R.C. 2. The property has been in the McMillan family since 1935 and is comprised of several parcels of land, all of which have been registered in the Maryland Agricultural Trust Fund. The parcels which are

ORDER RECEIVED FOR FILING

Date

By

5/16/95  
[Signature]

5/16/95

the subject of this request are identified as Lots 1 and 2 on the site plan submitted as Petitioner's Exhibit 1. Lot 1 consists of 275.390 acres, more or less, and is outlined in purple on Petitioner's Exhibit 1. The Petitioners seek to transfer approximately 59.482 acres, more or less, from Lot 1 to their other holdings located adjacent to this site, for non-density purposes. For identification purposes, Lot 1 has been outlined in purple on Petitioner's Exhibit 1, the non-density land to be transferred therefrom has been outlined in pink, and the parcel to which the transfer is being made has been outlined in orange.

In addition to this non-density transfer, the Petitioners seek a waiver of the panhandle driveway restrictions set forth in Section 26-266 of the Baltimore County Code (B.C.C.) to permit continued access to Lot 2 of the subject property. Section 26-266 limits the length of any panhandle driveway to 1,000 feet. Presently, Lot 2, which consists of 13.189 acres, more or less, is accessed via a panhandle driveway easement to Butler Road. This panhandle driveway exceeds the maximum length permitted pursuant to Section 26-266 of the B.C.C. Due to the location of this panhandle driveway between Lot 1 and the non-density parcel of land to be transferred, the relief requested is necessary in order to permit continued access to Lot 2.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. In the opinion of this Deputy Zoning Commissioner, the granting of a waiver of the panhandle restrictions set forth in Section 26-266 of the Baltimore County Code will not result in any adverse impact upon surrounding uses and should therefore be granted. Furthermore, I find that the non-density

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Date

By

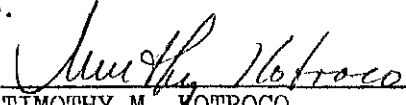
transfer of the 59 acre parcel of land is consistent with the agricultural purposes of the R.C. 2 zone and will not be detrimental to the health, safety or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16<sup>th</sup> day of May, 1995 that the Petition for Special Hearing seeking approval of a non-density transfer of 59.482 acres, zoned R.C. 2, and a waiver to the maximum length for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.), to permit continued access to Lot 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the terms and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order. A copy of the recorded deed shall be forwarded to the Zoning Administration and Development Management (ZADM) office for inclusion in the case file.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 5/16/95  
By RP



Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

May 16, 1995

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
N/S Butler Road, 3400' NE of its intersection w/Piney Grove Road  
(3600 Butler Road)  
4th Election District - 3rd Councilmanic District  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - Petitioners  
Case No. 95-259-SPH

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. William McMillan, Jr.  
P.O. Box 3603, Glyndon, Md. 21071

Ms. Eleanor McMillan  
4919 Westway Drive, Bethesda, Md. 20816-1727

Mr. Bruce Doak, Gerhold, Cross & Etzel  
320 E. Towsontown Blvd., Towson, Md. 21286

People's Counsel; File

MICROFILMED





# Petition for Special Hearing

95-259-SPH

to the Zoning Commissioner of Baltimore County

for the property located at

3600 BUTLER ROAD

which is presently zoned

RC 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

to approve the transfer of a portion of the R.C. 2 property as  
"non density" and a waiver to the maximum 1000'  
panhandle driveway length. [26-266 (4)] Amended  
JMK

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s).

William McMillan Estate  
(Type or Print Name)

Signature

WILLIAM McMILLAN, JR. - TRUSTEE  
(Type or Print Name)  
MAILING ADDRESS: P.O. Box 3603  
GLYNDON, MD. 21071

Signature

3600 Butler Road 429-2991  
Address Phone No.

Glyndon MD 21071  
City State Zipcode  
Name, Address and phone number of representative to be contacted.

Gerhard Grossi Etzel Ltd.  
Name

320 E. Towson Blvd 823-4470  
Address Phone No.  
Towson 21086

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: JMK DATE 1-25-95

260

ORDER RECEIVED FOR FILING

Date 5/16/95

By [Signature]



75-259-SPH

GORDON T. LANGDON  
DENNIS M. MILLER  
EDWARD F. DEIACO-LOHR  
BRUCE E. DOAK

**GERHOLD, CROSS & ETZEL**  
*Registered Professional Land Surveyors*

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

**EMERITUS**  
PAUL G. DOLLENBERG  
FRED H. DOLLENBERG  
CARL L. GERHOLD  
PHILIP K. CROSS  
**OF COUNSEL**  
JOHN F. ETZEL  
WILLIAM G. ULRICH

January 23, 1995

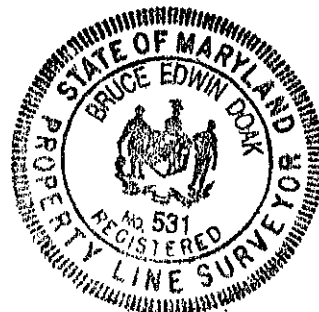
**Zoning Description**  
**3600 Butler Road**

Beginning at a point in the centerline of Butler Road which is 3400 feet, more or less, northeast of the centerline of Piney Grove road as recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4973 folio 335 and described as follows to wit:

- 1) North 60 degrees 35 minutes West 732.49 feet, thence
- 2) South 72 degrees 18 minutes West 1318 feet, thence
- 3) North 81 degrees 44 minutes West 337.23 feet, thence
- 4) North 50 degrees 05 minutes West 1548.84 feet, thence
- 5) North 38 degrees 16 minutes 50 seconds East 936.83 feet, thence
- 6) North 29 degrees 30 minutes West 366.27 feet, thence
- 7) North 48 degrees 32 minutes 20 seconds West 694.56 feet, thence
- 8) North 62 degrees 52 minutes West 1304.3 feet, thence
- 9) North 55 degrees 11 minutes West 206.47 feet, thence
- 10) North 35 degrees 05 minutes West 866.85 feet, thence
- 11) North 66 degrees 48 minutes East 132 feet, thence
- 12) North 56 degrees 36 minutes East 1320 feet, thence
- 13) North 60 degrees 47 minutes East 1106 feet, thence
- 14) North 63 degrees East 902.25 feet, thence
- 15) South 59 degrees 58 minutes East 264 feet, thence
- 16) South 30 degrees 58 minutes East 858 feet, thence
- 17) South 36 degrees 03 minutes West 375 feet, thence
- 18) South 54 degrees 50 minutes East 660 feet, thence
- 19) South 82 degrees 42 minutes East 307.11 feet, thence
- 20) South 49 degrees 02 minutes East 264 feet, thence
- 21) South 50 degrees 21 minutes East 249.68 feet, thence
- 22) South 04 degrees 48 minutes West 439 feet, thence
- 23) South 27 degrees 32 minutes East 40 feet, more or less, thence
- 24) South 52 degrees 46 minutes 58 seconds West 436.32 feet, thence
- 25) South 35 degrees 40 minutes 11 seconds East 1559.53 feet, thence
- 26) South 80 degrees 58 minutes 11 seconds East 182.85 feet, thence
- 27) South 35 degrees 46 minutes East 1098.37 feet, and
- 28) South 56 degrees 53 minutes West 1078.13 feet to the point of beginning

260

Containing 372 Acres of land, more or less.



**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

95-259-SPH

District HCH Date of Posting 7/10/95

Posted for: Special Hearing

Petitioner: Wm. McMillian, Jr.

Location of property: 3600 Butler Rd, N/S

Location of Signs: Facing road way, on property being zoned

Remarks: \_\_\_\_\_

Posted by M. Whelan Date of return: 7/12/95  
Signature

Number of Signs: 1

MICROFILMED



# CERTIFICATE OF PUBLICATION

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-269-SPH

(Item 260)

3600 Butler Road

N/S Butler Road, 3400' +/-

NE of Intersection Piney Grove Road

4th Election District

3rd Councilmanic

Legal Owner(s):

William McMillan, Jr.

Trustee for the Estate of William McMillan

Hearing: Monday,

February 27, 1995 at

9:00 a.m. in Rm. 118, Old Courthouse.

**Special Hearing** to approve the transfer of a portion of the R.C. 2 property as "non-density".

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

2/13/ February 9.

TOWSON, MD.,

2/10

, 19 95

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/9, 19 95.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

~~Publisher~~



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Receipt

95-259-SPH

Account: R-001-6150

Number

JCM

Date

1-25-95

PAID TO: McALLAN, Jk. Trustee William McAllan, Jr.  
Subscribed to: McAllan, Jr. Trustee

SPH HRC (0.20)

Pasnik (0.80)

80.00

35.00

85.00

RECORDED

D3A038003LMCHRC

CA 0002-46PMDL-25-95

85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 260

Petitioner: WILLIAM McMILLAN ESTATE of:

Location: 3600 BUTLER RD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: GERHOLD, CROSS & ETZEL

ADDRESS: 320 E. TOWSON TOWN BLVD.

TOWSON, MD. 21086

PHONE NUMBER: 823-4470

AJ:ggs

MICROFILMED

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY

February 9, 1995 Issue - Jeffersonian

Please forward billing to:

Gerhold, Cross & Etzel  
320 E. Towsontown Blvd.  
Towson, MD 21086  
823-4470

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### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-259-SPH (Item 260)

3600 Butler Road

N/S Butler Road, 3400' +/- NE of intersection Piney Grove Road

4th Election District - 3rd Councilmanic

Legal Owner(s): William McMillan, Jr., Trustee for Estate of William McMillan

HEARING: MONDAY, FEBRUARY 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the transfer of a portion of the R.C. 2 property as "non-density".

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

FEBRUARY 2, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-259-SPH (Item 260)

3600 Butler Road

N/S Butler Road, 3400' +/- NE of intersection Piney Grove Road

4th Election District - 3rd Councilmanic

Legal Owner(s): William McMillan, Jr., Trustee for Estate of William McMillan

HEARING: MONDAY, FEBRUARY 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the transfer of a portion of the R.C. 2 property as "non-density".

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: William McMillan, Jr.  
Gerhold, Cross & Etzel

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

February 21, 1995

Mr. William McMillan, Jr.  
P. O. Box 3603  
Glyndon, Maryland 21071

RE: Item No.: 260  
Case No.: 95-259-SPH  
Petitioner: Wm. McMillan, Estate

Dear Mr. McMillan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

MICROFILMED





BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: February 2, 1995

FROM: Pat Keller, Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 245, 246, 256, 258, 259, and 260

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Pat Keller*

PK/JL:lw

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: February 13, 1995  
Zoning Administration and Development Management

FROM: *Pub* Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for February 13, 1995  
Items 246, 256, 257, 260, 261 and 263

The Developers Engineering Section has reviewed  
the subject zoning item and we have no comments.

RWB:sw

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/07/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF FEB. 6, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 246, 252, 253, 254, 255,  
256, 257, 258, 259, ~~260~~, 261 AND 263.

RECEIVED

FEB 8 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS 1102F

cc: File

MICROFILMED



**BALTIMORE COUNTY, MARYLAND**  
**Inter-Office Memorandum**

DATE: January 25, 1995

TO: File

FROM: Joseph C. Merrey  
Planner I, ZADM

SUBJECT: Item #260  
3600 Butler Road

Applicant was advised that "Letter of Administration" is required.

JCM:scj

**McMillian  
95-040-M**

2nd Review

Plan Date: 2/24/95

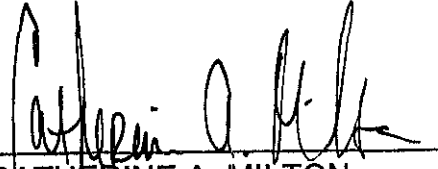
Comments Due: 3/11/95

Comments Date: 4/20/95

Comments Completed: 4/20/95

1. Existing Dwelling and Buildings: Note on the plan print and specifically confirm all buildings to be razed, **when**, and who will be responsible in the notes. Note on the plan print and specifically confirm all existing buildings and uses to remain, in the notes. Include on the plan and clearly note that the developer's engineer confirms the following existing conditions: uses, including the number of dwelling units, window locations, setbacks, dimensions, height and front orientation of all buildings to remain.
2. History: Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case number.
3. A review of zoning case #95-259-SPH indicated that no order was written as of 4/20/95. Also, there are a number of discrepancies between the hearing plan and the minor subdivision plan that must be addressed prior to approval of the minor subdivision.
  - A. The minor subdivision plan indicates the buildings on the non-density portion are to be razed; the hearing plan indicates they are to remain. If they are to remain, identify as requested in item #1.
  - B. The septic reserve area is not on the same lot as the dwelling that it is supporting. This was not addressed during the zoning case. A variance from Sections 101 and 400 or a special hearing to allow an off-site support area (septic) and to allow that area on a non-density parcel is required.

Any requests for further information from the Zoning Office must include a reference to the minor subdivision file #95-040-M and written correspondence or revised plans must be accompanied by a copy of these comments.

  
CATHERINE A. MILTON  
Planner I



suant to it would provide adequate access for emergency-service vehicles to each building on the tract. Internal circulation must be predominantly by local streets and through-traffic movement predominantly by collector or arterial streets. Only the minimum necessary number of driveway entrances on collector or arterial streets may be permitted, and the county may require the provision of a single access drive or a frontage road to serve adjacent buildings or lots, where necessary to reduce the number of entrances on an arterial street. Access drives connecting nonresidential developments may be required. The street system may be required to be extended to the boundaries of the tract and connected to adjacent street.  
(Code 1978, § 22-81)

**Cross reference**—Roads, bridges and sidewalks, tit. 31.

#### **Sec. 26-263. Street design and construction.**

Proposed streets must conform to adopted county standards for design and construction, except that different standards may be imposed where necessary to:

- (1) Preserve trees or other natural features;
- (2) Minimize grading or impervious surfacing;
- (3) Accommodate utilities, landscaping, benches, sidewalks, or other street-side facilities; or
- (4) Increase the suitability of the design or construction to the terrain, soil, surface drainage, groundwater, or anticipated traffic load or speed.

In addition, the county may require the provision of turning lanes and traffic signals as necessary at heavily traveled intersections or impose other special requirements for street design or arrangement as may be necessary to minimize the total number of intersections or to minimize four-way intersections, oblique intersections, intersections on curves, or large corner radii. No proposed street may be designed so as to intersect at grade with any railroad, except sidings.  
(Code 1978, § 22-82)

**Cross reference**—Roads, bridges and sidewalks, tit. 31.

#### **Sec. 26-264. Parking, signs, benches and transit facilities.**

(a) Parking required under provisions of the zoning regulations and the state building code for

the handicapped must be located and designed so as not to interfere with vehicular or pedestrian traffic and so as to be convenient to the principal entrance of buildings. Parking areas may be required to be dispersed on the site so that each is relatively small.

(b) Signposts must be unobtrusive and the total number of signs minimized. In particular, informational signs must not be placed or be of such a number or design as to distract drivers' attention from traffic-control signs or devices.

(c) Benches or other outdoor furniture may be required to be grouped and be of "break-away" designs. Street lighting must be of types and sizes both adequate for safety and appropriate to the vicinity.

(d) Transit facilities such as bus turnouts may be required for sites to be served by public transit.  
(Code 1978, § 22-83)

**Cross references**—Advertising and signs, tit. 3; motor vehicles and traffic, tit. 21; stopping, standing and parking, § 21-101 et seq.

#### **Sec. 26-265. Pedestrian and bicycle paths.**

The manual adopted pursuant to section 26-283(b)(4) may provide for the design and location of pedestrian and bicycle paths.  
(Code 1978, § 22-84)

#### **\* Sec. 26-266. Panhandle driveways.**

Panhandle lots may only be permitted to achieve better use of irregularly shaped parcels, avoid development in environmentally sensitive areas, and to provide access to interior lots where a public road is neither feasible nor desirable. Panhandle lots may be permitted only where such lots would not be detrimental to adjacent properties and would not conflict with efforts to provide for public safety and general welfare. Panhandle lots may be permitted in accordance with the following standards:

- (1) Each lot of less than three (3) acres shall include an in-fee strip of land providing access to the local street, except as provided in subsection (2) of this section. Panhandle fee strips shall be a minimum of twenty (20) feet in width to serve one (1) lot, a min-

imum of twelve (12) feet in width per lot where two (2) lots are involved, and a minimum of ten (10) feet in width per lot where three (3) or more lots are involved. In developments within the metropolitan area where public water and sewer services are available, planned, or considered, the minimum panhandle fee strip for two (2) or more lots is twelve (12) feet per lot.

- (2) The county review group may approve access to the local or collector street through an existing right-of-way instead of an in-fee strip, in cases where such a right-of-way has been established prior to the submittal of the CRG plan.
- (3) A single panhandle driveway may serve up to five (5) dwellings, three (3) of which may be on internal lots not adjacent to the local or collector street. Panhandle driveways serving lots greater than twenty thousand (20,000) square feet may serve five (5) internal lots plus two (2) dwellings on the front lots adjacent to the panhandle driveway and the local or collector street. In either case the front lots need not be part of the panhandle driveway development. Notwithstanding the provisions of section 26-172, none of the requirements in this subsection shall be waived.
- (4) In any DR zone, the panhandle length shall not exceed five hundred (500) feet. Notwithstanding the provisions of section 26-172, this requirement shall not be waived. In any RC zone, the panhandle length shall not exceed one thousand (1,000) feet, except if the county review group finds that a longer length is justified.
- (5) For panhandle driveways serving more than one (1) lot, covenants are to be noted on the record plat providing for common use and maintenance of the panhandle driveway and culvert if any.
- (6) The orientation of the dwelling shall be indicated on the plan. The dwelling shall be oriented to establish a desirable relationship between the proposed dwellings and existing adjacent homes and between the proposed dwellings themselves.
- (7) Provision must be made at the intersection of the panhandle driveway and the street for collection, mail delivery, and identification of each dwelling served by the panhandle as follows:
  - a. A paved trash collection area shall be located at the right-side intersection of the panhandle driveway and public road, as the driveway is exited. The trash collection area shall provide at least sixteen (16) square feet per dwelling unit served by the panhandle driveway.
  - b. The mail delivery area shall be located at the left intersection of the panhandle driveway and public road, as the driveway is exited.
  - c. Each dwelling served by a panhandle driveway shall be numerically identified in accordance with section 7-8 of this Code.
- (8) The panhandle driveway shall be built in accordance with standards established by the director of public works. The panhandle shall be paved within one (1) year of the issuance of the first occupancy permit and prior to the issuance of the occupancy permit of the last lot to be served, whichever comes first. In DR zones, utilities shall be provided to all lots to be served by the panhandle prior to the paving of the panhandle driveway.
- (9) No parking shall be permitted along a panhandle driveway.
- (10) Notwithstanding any other provision of these regulations to the contrary, the director of planning may grant a final waiver from any part of this section or these regulations, except subsections (3) and (4) of this section, if the director finds (i) that the size, scope, and nature of the subdivision of land into three (3) or fewer lots for residential single-family dwellings does not justify strict compliance with this section, and (ii) that a waiver would be within the scope, purpose, and intent of this section, and (iii) all other county ordinances and regulations have been complied with.

(Code 1978, § 22-85; Bill No. 172, 1989, § 2; Bill No. 106, 1990, § 1)

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**GERHOLD, CROSS & ETZEL**

REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100

320 East Towsontown Boulevard  
Towson, Maryland 21286

Phone: (410) 823-4470

Fax: (410) 823-4473

DATE: April 11, 1995SUBJECT: McMillan PropertyTO: Zoning Commissioners Office**TRANSMITTAL LETTER**ATTENTION: Betty / Tim K.

NO.	ITEM	TITLE
1	copy	"opinion" from Bruce Doak in lieu of opinion from Rob Hoffman

**REMARKS**

please call this office if this is not  
enough to finalize this case

Very Truly Yours,

Pattianne Smith

## Post-It Fax Note 7672

To: *Rob Hoffman*  
 Company: *VB & H*  
 Location: *15 EYE*  
 Fax #: *821-0147*  
 Comments:

No. of Pages: *3*  
 Today's Date: *5/82*  
 Time: *10 AM*  
 From: *Bruce Doak*  
 Company: *GERHOLD, CROSS & ETZEL*  
 Location: *15 EYE*  
 Dept. Charge:  
 Telephone #: *821-4173*  
 Fax #: *821-4173*  
 Original Disposition: ☐ Destroy ☐ Return ☐ Call for pickup

*Review of Accuracy As You Requested*

MAY-22-95 13:41 FROM: Venable/Towson

ID.

PAGE 2/4

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
 N/S Butler Road, 3400' NE of its \*  
 intersection w/Tiney Grove Road \* DEPUTY ZONING COMMISSIONER  
 (3600 Butler Road)  
 4th Election District \* OF BALTIMORE COUNTY  
 3rd Councilmanic District \*  
 \* Case No. 95-259-SPH  
 William McMillan, Jr., as Trustee for  
 the Estate of William McMillan - \*  
 Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 3600 Butler Road, located in the vicinity of Glyndon. The Petition was filed by the owner of the property, the Estate of William McMillan, by William McMillan, Jr., Trustee, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of a non-density transfer of a portion of the subject property, zoned R.C. 2, and a waiver to the maximum length for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.). The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were William McMillan, Jr., Eleanor McMillan, Bruce Doak, Professional Engineer, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property is part of a larger tract containing a gross area of 372 acres, more or less, zoned R.C. 2. The property has been in the McMillan family since 1935 and is comprised of several parcels of land, all of which have been registered in the Maryland Agricultural Trust Fund. The parcels which are

the subject of this request ~~was~~ identified as Lots 1 and 2 on the site plan submitted as Petitioner's Exhibit 1. Lot 1 consists of 275.373 acres, more or less, and is outlined in purple on Petitioner's Exhibit 1. The Petitioners seek to transfer approximately 59.482 acres, more or less, from ~~Lot 1~~ *the larger 370-acre tract* to their other holdings located adjacent to this site, for non-density purposes. For identification purposes, ~~Lot 1 has been outlined in purple on Petitioner's Exhibit 1, the non-density land to be transferred therefrom has been outlined in pink, and the parcel to which the transfer is being made has been outlined in orange.~~

In addition to this non-density transfer, the Petitioners seek a waiver of the panhandle driveway restrictions set forth in Section 26-266 of the Baltimore County Code (B.C.C.) to permit continued access to Lot 2 of the subject property. Section 26-266 limits the length of any panhandle driveway to 1,000 feet. Presently, Lot 2, which consists of 13.189 acres, more or less, is accessed via a panhandle driveway easement to Butler Road. This panhandle driveway exceeds the maximum length permitted pursuant to Section 26-266 of the B.C.C. Due to the location of this panhandle driveway between Lot 1 and the non-density parcel of land to be transferred, the relief requested is necessary in order to permit continued access to Lot 2.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. In the opinion of this Deputy Zoning Commissioner, the granting of a waiver of the panhandle restrictions set forth in Section 26-266 of the Baltimore County Code will not result in any adverse impact upon surrounding uses and should therefore be granted. Furthermore, I find that the non-density

transfer of the 59 acre parcel of land is consistent with the agricultural purposes of the R.C. 2 zone and will not be detrimental to the health, safety or general welfare of the surrounding locale.

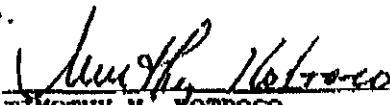
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16<sup>th</sup> day of May, 1995 that the Petition for Special Hearing seeking approval of a non-density transfer of 59.482 acres, zoned R.C. 2, and a waiver to the maximum length for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.), to permit continued access to Lot 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the terms and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order. A copy of the recorded deed shall be forwarded to the Zoning Administration and Development Management (ZADM) office for inclusion in the case file.

TMK:bja

  
TIMOTHY M. XOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

To grant a waiver to allow an existing driveway which measures over 3000' to serve as a Right-Of-Way Panhandle to proposed Lot 2 (13 acres+/-) in leau of the maximum required length of 1000'. The existing driveway will also have the right to serve as assess for the existing dwelling on proposed Lot 1 and the existing and proposed dwellings on the William McMillan, Jr. property which currently utilize it.

WILLIAM McMILLAN, JR.



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

ELEANOR McMILLAN

4919 WESTWAY DRIVE

BETHESDA, MD 20816-1727

WILLIAM McMILLAN, JR.

3606 BUTLER ROAD

P.O. BOX 3603

GLYNDON, MD 21071

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Butler Road, 3400' NE of its \* DEPUTY ZONING COMMISSIONER  
intersection w/Piney Grove Road (3600 Butler Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 95-259-SPH  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - \*  
Petitioner \* \* \* \* \*

SECOND AMENDED ORDER

This matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing seeking approval of a non-density transfer of a portion of the subject property, zoned R.C. 2, and a waiver to the maximum length permitted for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.), in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The relief requested was granted, subject to restrictions, by Order issued May 16, 1995.

Subsequent to the issuance of said Order, Counsel for the Petitioners advised this office of certain discrepancies within the Order as to the relationship of the parcels affected by the non-density transfer and requested an amendment to clarify same. Thus, an amended Order was issued on June 15, 1995.

Thereafter, by letter dated July 11, 1995, Counsel for the Petitioners advised this office that a variation of the septic reserve area for Lot 2 had occurred during the minor subdivision process, and as such, a slight modification of the site plan approved in the Amended Order was necessary. Counsel for the Petitioner then requested a reconsideration of

ORDER RECEIVED FOR FILING  
Date 7/13/95  
By [Signature]

the Amended Order and approval of the minor subdivision plan, which was submitted and accepted into evidence as Petitioner's Exhibit 1A, as being consistent with the spirit and intent of the amended order.

After reviewing the case file and the minor subdivision plan, which more clearly identifies the relationship of the parcels in question, it is clear that a Second Amended Order is necessary.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13<sup>th</sup> day of July, 1995 that the Motion for Reconsideration filed in the above-captioned matter by letter dated July 11, 1995, be and the same shall hereby be GRANTED and that the Amended Order issued June 15, 1995 be and is hereby AMENDED as follows:

THAT the property which is the subject of this request consists of 348.061 acres, more or less, zoned R.C.2, and has been divided into three (3) parcels as shown on the approved minor subdivision plan which was accepted into evidence as Petitioner's Exhibit 1A;

THAT two of the three parcels now comprise a gross area of 58.797 acres, more or less, which are to be transferred to the Petitioner's other holdings for non-density purposes;

THAT, the third parcel, which has been subdivided from the property to create Lot 2 for another family member pursuant to the approved minor subdivision plan, was slightly increased to accommodate the new septic reserve area and now consists of 13.874 acres; and,

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Date 7/13/95  
By [Signature]

THAT the remainder of the subject property will consist of approximately 275.087 acres, and has been identified as Lot 1 on Petitioner's Exhibit 1A.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued May 16, 1995, and subsequent Order issued June 15, 1995 shall remain in full force and effect.

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard, 210 Allegheny Ave., Towson, Md. 21204

Mr. William McMillan, Jr.  
P.O. Box 3603, Glyndon, Md. 21071

Ms. Eleanor McMillan  
4919 Westway Drive, Bethesda, Md. 20816-1727

Mr. Bruce Doak, Gerhold, Cross & Etzel  
320 E. Towsontown Blvd., Towson, Md. 21286

People's Counsel; File

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Date 7/13/95  
By [Signature]

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Butler Road, 3400' NE of its \* DEPUTY ZONING COMMISSIONER  
intersection w/Piney Grove Road (3600 Butler Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 95-259-SPH  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - \*  
Petitioner \* \* \* \* \*

AMENDED ORDER

This matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing seeking approval of a non-density transfer of a portion of the subject property, zoned R.C. 2, and a waiver to the maximum length permitted for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.), in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The relief requested was granted, subject to restrictions, by Order issued May 16, 1995.

Subsequent to the issuance of said Order, Counsel for the Petitioners advised this office of certain discrepancies within the Order and requested an amendment to clarify same.

After reviewing the case file and the information submitted to clarify the relationship of the parcels in question, it appears that an Amended Order is warranted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of June, 1995 that the Order dated May 16, 1995 be and the same shall hereby be AMENDED as follows:

The property which is the subject of this request consists of 348.061 acres, more or less, zoned R.C.2, and has been divided into five (5) parcels as shown on Petitioner's Exhibit 1. Two of the five parcels

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Date 6/15/95  
By [Signature]

comprise the 59.482 acres to be transferred for non-density purposes. These two parcels are outlined in pink on Petitioner's Exhibit 1 and are to be transferred to the Petitioner's other holdings, which are outlined in orange on the plan, for non-density purposes. A third parcel, which is outlined in green on the plan, contains 13.189 acres and is to be subdivided from the property to create Lot 2 for another family member. There will be a slight increase in the size of Lot 2 to accommodate a new septic area. Upon completion of the non-density transfer, and the minor subdivision to create proposed Lot 2, the remainder of the subject property will consist of approximately 275.390 acres, which has been identified as Lot 1 on the plan. Lot 1 is outlined in purple on Petitioner's Exhibit 1.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued May 16, 1995 shall remain in full force and effect.

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard, 210 Allegheny Ave., Towson, Md. 21204

Mr. William McMillan, Jr.  
P.O. Box 3603, Glyndon, Md. 21071

Ms. Eleanor McMillan  
4919 Westway Drive, Bethesda, Md. 20816-1727

Mr. Bruce Doak, Gerhold, Cross & Etzel  
320 E. Towsontown Blvd., Towson, Md. 21286

People's Counsel; File

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Date 6/15/95  
By [Signature]

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Butler Road, 3400' NE of its \* DEPUTY ZONING COMMISSIONER  
intersection w/Piney Grove Road (3600 Butler Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 95-259-SPH  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - \*  
Petitioner \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 3600 Butler Road, located in the vicinity of Glyndon. The Petition was filed by the owner of the property, the Estate of William McMillan, by William McMillan, Jr., Trustee, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of a non-density transfer of a portion of the subject property, zoned R.C. 2, and a waiver to the maximum length for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.). The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were William McMillan, Jr., Eleanor McMillan, Bruce Doak, Professional Engineer, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property is part of a larger tract containing a gross area of 372 acres, more or less, zoned R.C. 2. The property has been in the McMillan family since 1935 and is comprised of several parcels of land, all of which have been registered in the Maryland Agricultural Trust Fund. The parcels which are

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Date 6/15/95  
By [Signature]

the subject of this request are identified as Lots 1 and 2 on the site plan submitted as Petitioner's Exhibit 1. Lot 1 consists of 275.390 acres, more or less, and is outlined in purple on Petitioner's Exhibit 1. The Petitioners seek to transfer approximately 59.482 acres, more or less, from Lot 1 to their other holdings located adjacent to this site, for non-density purposes. For identification purposes, Lot 1 has been outlined in purple on Petitioner's Exhibit 1, the non-density land to be transferred therefrom has been outlined in pink, and the parcel to which the transfer is being made has been outlined in orange.

In addition to this non-density transfer, the Petitioners seek a waiver of the panhandle driveway restrictions set forth in Section 26-266 of the Baltimore County Code (B.C.C.) to permit continued access to Lot 2 of the subject property. Section 26-266 limits the length of any panhandle driveway to 1,000 feet. Presently, Lot 2, which consists of 13.189 acres, more or less, is accessed via a panhandle driveway easement to Butler Road. This panhandle driveway exceeds the maximum length permitted pursuant to Section 26-266 of the B.C.C. Due to the location of this panhandle driveway between Lot 1 and the non-density parcel of land to be transferred, the relief requested is necessary in order to permit continued access to Lot 2.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. In the opinion of this Deputy Zoning Commissioner, the granting of a waiver of the panhandle restrictions set forth in Section 26-266 of the Baltimore County Code will not result in any adverse impact upon surrounding uses and should therefore be granted. Furthermore, I find that the non-density

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Date 6/15/95  
By [Signature]

transfer of the 59 acre parcel of land is consistent with the agricultural purposes of the R.C. 2 zone and will not be detrimental to the health, safety or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16<sup>th</sup> day of May, 1995 that the Petition for Special Hearing seeking approval of a non-density transfer of 59.482 acres, zoned R.C. 2, and a waiver to the maximum length for a panhandle driveway of 1,000 feet, pursuant to Section 26-266(4) of the Baltimore County Code (B.C.C.), to permit continued access to Lot 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Pursuant to Section 502.2 of the B.C.C.2.R., a new deed incorporating a reference to this case and the terms and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order. A copy of the recorded deed shall be forwarded to the Zoning Administration and Development Management (ZADM) office for inclusion in the case file.

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

ORDER RECEIVED FOR FILING  
Date 5/16/95  
By [Signature]



Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

May 16, 1995

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
N/S Butler Road, 3400' NE of its intersection w/Piney Grove Road  
(3600 Butler Road)  
4th Election District - 3rd Councilmanic District  
William McMillan, Jr., as Trustee for  
the Estate of William McMillan - Petitioners  
Case No. 95-259-SPH

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. William McMillan, Jr.  
P.O. Box 3603, Glyndon, Md. 21071

Ms. Eleanor McMillan  
4919 Westway Drive, Bethesda, Md. 20816-1727

Mr. Bruce Doak, Gerhold, Cross & Etzel  
320 E. Towson Blvd., Towson, Md. 21286

People's Counsel; File



## Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 3600 Butler Road  
which is presently zoned EC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

to approve the transfer of a portion of the EC-2 property as  
"non-density" and a waiver to the maximum 1000'  
paradeable driveway length. (26-266 (4)) Amended  
TMK

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Address

City State Zipcode

Address

City State Zipcode

Address

City State Zipcode

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City State Zipcode

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GERHOLD, CROSS & ETZEL  
Registered Professional Land Surveyors  
SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21206-5318  
410-823-4470  
FAX 410-823-4473

EMERITUS  
PAUL G. HOLLENBERG  
FRED M. HOLLENBERG  
CARL L. GERHOLD  
PHILIP E. CROSS  
JIM GUINNESS  
JOHN F. ETZEL  
WILLIAM G. ULBRICH

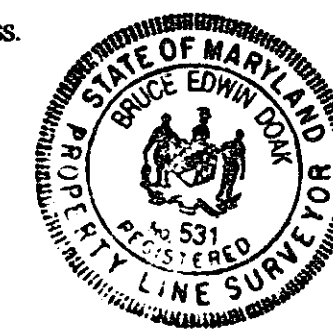
January 23, 1995

### Zoning Description 3600 Butler Road

Beginning at a point in the centerline of Butler Road which is 3400 feet, more or less, northeast of the centerline of Piney Grove road as recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4973 folio 335 and described as follows to wit:

- 1) North 60 degrees 35 minutes West 732.49 feet, thence
- 2) South 72 degrees 18 minutes West 1318 feet, thence
- 3) North 81 degrees 44 minutes West 337.23 feet, thence
- 4) North 50 degrees 05 minutes West 1548.84 feet, thence
- 5) North 38 degrees 16 minutes 50 seconds East 936.83 feet, thence
- 6) North 29 degrees 30 minutes West 366.27 feet, thence
- 7) North 48 degrees 32 minutes 20 seconds West 694.56 feet, thence
- 8) North 62 degrees 52 minutes West 1304.3 feet, thence
- 9) North 55 degrees 11 minutes West 206.47 feet, thence
- 10) North 35 degrees 05 minutes West 866.83 feet, thence
- 11) North 66 degrees 48 minutes East 132 feet, thence
- 12) North 56 degrees 36 minutes East 1320 feet, thence
- 13) North 60 degrees 47 minutes East 1106 feet, thence
- 14) North 63 degrees East 902.25 feet, thence
- 15) South 59 degrees 38 minutes East 264 feet, thence
- 16) South 30 degrees 58 minutes East 858 feet, thence
- 17) South 36 degrees 03 minutes West 375 feet, thence
- 18) South 54 degrees 50 minutes East 660 feet, thence
- 19) South 82 degrees 42 minutes East 307.11 feet, thence
- 20) South 49 degrees 02 minutes East 264 feet, thence
- 21) South 50 degrees 21 minutes East 249.68 feet, thence
- 22) South 04 degrees 48 minutes West 439 feet, thence
- 23) South 27 degrees 32 minutes East 40 feet, more or less, thence
- 24) South 52 degrees 46 minutes 58 seconds West 436.32 feet, thence
- 25) South 35 degrees 40 minutes 11 seconds East 1559.53 feet, thence
- 26) South 80 degrees 58 minutes 11 seconds East 182.85 feet, thence
- 27) South 35 degrees 46 minutes East 1098.37 feet, and
- 28) South 56 degrees 33 minutes West 1078.13 feet to the point of beginning

Containing 372 Acres of land, more or less.



### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 118 Date of Posting: 2/4/95  
Posted for: Special Hearing  
Petitioner: William McMillan, Jr.  
Location of property: 3600 Butler Rd. 4th  
Location of Sign: Along Butler Rd. on Piney Grove Rd.  
Remarks: See attached map of property.  
Posted by: William McMillan, Jr. Date of return: 2/16/95  
Number of Signs: 1

### CERTIFICATE OF PUBLICATION

TOWSON, MD. 2/10, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/4, 1995.

THE JEFFERSONIAN,  
*A. H. Henrichson*  
LEGAL AD. - TOWSON

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case: 95-259-SPH (Item 260)  
3600 Butler Road  
N/S Butler Road, 3400' +/- NE of intersection Piney Grove Road  
4th Election District - 3rd Councilmanic District  
Legal Owner(s): William McMillan, Jr., Trustee for the Estate of William McMillan  
Hearing: Monday, February 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse  
Special Hearing to approve the transfer of a portion of the R.C. 2 property as non-density.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.  
(2) For information concerning the file and/or hearing, please call 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Arnold Jablon*  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 260

Petitioner: William McMillan Estate et al.

Location: 3600 Butler Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Gerhold, Cross & Etzel

ADDRESS: 320 E. Towson Town Blvd.

Towson, Md. 21086

PHONE NUMBER: 823-4470

DATE: 2/10/95

RECEIVED: 2/10/95

FILED: 2/10/95

RECEIVED: 2/10/95

FILED: 2/10/95

RECEIVED: 2/10/95

FILED: 2/10/95

RECEIVED: 2/10/95

FILED: 2/10/95

RECEIVED: 2/10/95

FILED: 2/10/95

TO: PUTNAM PUBLISHING COMPANY  
February 9, 1995 Issue - Jeffersonian

Please forward billing to:

Gerhold, Cross & Etzel  
320 E. Towson Town Blvd.  
Towson, MD 21086  
823-4470

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

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N/S Butler Road, 3400' +/- NE of intersection Piney Grove Road  
4th Election District - 3rd Councilmanic District  
Legal Owner(s): William McMillan, Jr., Trustee for Estate of William McMillan  
Hearing: Monday, February 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse

Special Hearing to approve the transfer of a portion of the R.C. 2 property as "non-density".

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

FEBRUARY 2, 1995

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case: 95-259-SPH (Item 260)  
3600 Butler Road  
N/S Butler Road, 3400' +/- NE of intersection Piney Grove Road  
4th Election District - 3rd Councilmanic District  
Legal Owner(s): William McMillan, Jr., Trustee for Estate of William McMillan  
Hearing: Monday, February 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse

Special Hearing to approve the transfer of a portion of the R.C. 2 property as "non-density".

*Arnold Jablon*  
Arnold Jablon  
Director

cc: William McMillan, Jr.  
Gerhold, Cross & Etzel

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

receipt  
95-259-SPH  
Account: R-0016150  
Number: JCM

Date: 1-25-95  
SPH PRCE (0.50) 50.00  
POSTING (0.50) 35.00  
TOTAL 85.00

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84 0002:46PM01-25-95  
Please Make Checks Payable To: Baltimore County

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Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

February 21, 1995

Mr. William McMillan, Jr.  
P. O. Box 3603  
Glyndon, Maryland 21071

RE: Item No.: 260  
Case No.: 95-259-SPH  
Petitioner: Wm. McMillan, Estate

Dear Mr. McMillan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties: i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: J. Lawrence Pilson *JLP/mj*  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #260 - McMillan Property  
3600 Butler Road  
Zoning Advisory Committee Meeting of February 6, 1995

February 23, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Development of the property must comply with the Forest Conservation Act.

Agricultural Preservation Program

This proposal has been reviewed for agricultural issues and compliance with the prime and productive policies.

The proposal does not provide any new dwellings on prime and productive soils. It does, however, separate active cropland into two ownerships and the proposal for 39 acres is less than the policy requirement of 50 acres.

However, given the location of existing roads and the fields, the proposal will not diminish the agricultural resources of the area and is logical because of the location of the existing access.

In conclusion, this non-density does not conflict with prime and productive or significantly reduce agricultural resources of the area.

JLP:MK:WL:sp  
MCMILLAN/DEPRM/TXTSPB

RECEIVED  
FEB 24 1995  
ZADM

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

DATE: February 2, 1995

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 245, 246, 256, 258, 259, and 260

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Carol Keller*

PK/JL:lw

ITEM245/PZONE/TXTJWL

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting  
for February 13, 1995  
Items 246, 256, 257, 260, 261 and 263

DATE: February 13, 1995

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/07/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF FEB. 6, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 246, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261 AND 263.

RECEIVED  
FEB 8 1995  
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
Inter-Office Memorandum

DATE: January 25, 1995

TO: File

FROM: Joseph C. Merrey  
Planner I, ZADM

SUBJECT: Item #260  
3600 Butler Road

Applicant was advised that "Letter of Administration" is required.

JCM:scj

McMillan  
95-040-M

2nd Review  
Plan Date: 2/24/95  
Comments Due: 3/11/95

Comments Date: 4/20/95  
Comments Completed: 4/20/95

- Existing Dwelling and Buildings: Note on the plan print and specifically confirm all buildings to be razed, when, and who will be responsible in the notes. Note on the plan print and specifically confirm all existing buildings and uses to remain, in the notes. Include on the plan and clearly note that the developer's engineer confirms the following existing conditions: uses, including the number of dwelling units, window locations, setbacks, dimensions, height and front orientation of all buildings to remain.
- History: Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case number.
- A review of zoning case #95-259-SPH indicated that no order was written as of 4/20/95. Also, there are a number of discrepancies between the hearing plan and the minor subdivision plan that must be addressed prior to approval of the minor subdivision.
  - The minor subdivision plan indicates the buildings on the non-density portion are to be razed; the hearing plan indicates they are to remain. If they are to remain, identify as requested in item #1.
  - The septic reserve area is not on the same lot as the dwelling that it is supporting. This was not addressed during the zoning case. A variance from Sections 101 and 400 or a special hearing to allow an off-site support area (septic) and to allow that area on a non-density parcel is required.

Any requests for further information from the Zoning Office must include a reference to the minor subdivision file #95-040-M and written correspondence or revised plans must be accompanied by a copy of these comments.

*Catherine A. Milton*  
CATHERINE A. MILTON  
Planner I

§ 26-262 BALTIMORE COUNTY CODE

suant to it would provide adequate access for emergency-service vehicles to each building on the tract. Internal circulation must be predominantly by local streets and through-traffic movement predominantly by collector or arterial streets. Only the minimum necessary number of driveway entrances on collector or arterial streets may be permitted, and the county may require the provision of a single access drive or a frontage road to serve adjacent buildings or lots, where necessary to reduce the number of entrances on an arterial street. Access drives connecting nonresidential developments may be required. The street system may be required to be extended to the boundaries of the tract and connected to adjacent street.  
(Code 1978, § 22-61)  
Cross references—Roads, bridges and sidewalks, tit. 31.

Sec. 26-263. Street design and construction.  
Proposed streets must conform to adopted county standards for design and construction, except that different standards may be imposed where necessary to:

- (1) Preserve trees or other natural features;
- (2) Minimize grading or impervious surfacing;
- (3) Accommodate utilities, landscaping, benches, sidewalks, or other street-side facilities; or
- (4) Increase the suitability of the design or construction to the terrain, soil, surface drainage, groundwater, or anticipated traffic load or speed.

In addition, the county may require the provision of turning lanes and traffic signals as necessary at heavily traveled intersections or impose other special requirements for street design or arrangement as may be necessary to minimize the total number of intersections or to minimize four-way intersections, oblique intersections, intersections on curves, or large corner radii. No proposed street may be designed so as to intersect at grade with any railroad, except sidings.  
(Code 1978, § 22-62)  
Cross references—Roads, bridges and sidewalks, tit. 31.

Sec. 26-264. Parking, signs, benches and transit facilities.  
(a) Parking required under provisions of the zoning regulations and the state building code for the handicapped must be located and designed so as not to interfere with vehicular or pedestrian traffic and so as to be convenient to the principal entrance of buildings. Parking areas may be required to be dispersed on the site so that each is relatively small.  
(b) Signposts must be unobtrusive and the total number of signs minimized. In particular, informational signs must not be placed or be of such a number or design as to distract drivers' attention from traffic-control signs or devices.  
(c) Benches or other outdoor furniture may be required to be grouped and be of "break-away" designs. Street lighting must be of types and sizes both adequate for safety and appropriate to the vicinity.  
(d) Transit facilities such as bus turnouts may be required for sites to be served by public transit.  
(Code 1978, § 22-63)  
Cross references—Advertising and signs, tit. 3, motor vehicles and traffic, tit. 21; stopping, standing and parking, § 21-101 et seq.

Sec. 26-265. Pedestrian and bicycle paths.  
The manual adopted pursuant to section 26-263(b)(4) may provide for the design and location of pedestrian and bicycle paths.  
(Code 1978, § 22-64)

Sec. 26-266. Panhandle driveways.  
Panhandle lots may only be permitted to achieve better use of irregularly shaped parcels, avoid development in environmentally sensitive areas, and to provide access to interior lots where a public road is neither feasible nor desirable. Panhandle lots may be permitted only where such lots would not be detrimental to adjacent properties and would not conflict with efforts to provide for public safety and general welfare. Panhandle lots may be permitted in accordance with the following standards:  
(1) Each lot of less than three (3) acres shall include an in-fee strip of land providing access to the local street, except as provided in subsection (2) of this section. Panhandle fee strips shall be a minimum of twenty (20) feet to serve one (1) lot, a min-

Supp. No. 4 1782



(6) The orientation of the dwelling shall be indicated on the plan. The dwelling shall be oriented to establish a desirable relationship between the proposed dwellings and existing adjacent homes and between the proposed dwellings themselves.

10 Notwithstanding any other provision of these regulations to the contrary, the director of planning may grant a final waiver from any part of this section or these regulations, except subsections 3 and 4 of this section, if the director finds i. that the size, scope, and nature of the subdivision of land into three (3) or fewer lots for residential single-family dwellings does not justify strict compliance with this section, and ii. that a waiver would be within the scope, purpose, and intent of this section, and iii. all other county ordinances and regulations have been complied with.

Code 1978, § 22-85; Bill No. 172, 1989, § 2; Bill No. 106, 1990, § 1.

Supp No 4

1783

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

David S. Semilio

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1/21/99 day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd., 320 W. Townsontown Blvd., Towson, MD 21286, representative for Petitioner.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

**GERHOLD, CROSS & ETZEL**  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
Phone: (410) 823-4470 Fax: (410) 823-4473

DATE: April 11, 1995

SUBJECT: McMillan Property

TO: Zoning Commission Office

## TRANSMITTAL LETTER

ATTENTION: Beth / Tina K.

[illegible]

## REMARKS

please call this office if this is not  
enough to finalize this case

Very Truly Yours,

Patricia Smith

[illegible]

MAY-22-85 13:41 FROM: Venetia/Tolson

IN RE: PETITION FOR SPECIAL HEARING

R/S Butler Road, 3400' NE of ite  
Intersection w/Piney Grove Road  
(3650 Butler Road)  
4th Election District  
2nd Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-253-SPH

William McMillan, Jr., as Trustee for  
the Estate of William McMillan -  
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Justice Commissioners as a Petition for Special Hearing for that property known as 3600 Miller Road, located in the vicinity of Glendon. The Petition was filed by the owner of the property, the Estate of William McMillan, by William McMillan, Jr., Trustee, through their attorney, Robert A. Hoffman, Esquire. The Petition asks each applicant for a nondefinitive transfer of the portion of the subject property, known R.C. 2, and a waiver to the maximum length for a parallel driveway of 1,000 feet, pursuant to Section 26-26(4) of the Baltimore County Code (B.C.C.). The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were William McMillan, Jr., Eleanor McMillan, Bruce Doak, Professional Engineer, and Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property is part of a larger tract containing a gross area of 372 acres, more or less, zoned R.C. 2. The property has been in the McMillan family since 1935 and is comprised of several parcels of land, all of which have been registered in the Maryland Agricultural Trust Fund. The parcels which are

To grant a waiver to allow an existing driveway which measures over 3000' to serve as a Right-Of-Way Panhandle to proposed Lot 2 (13 acres+/-) in lieu of the maximum required length of 1000'. The existing driveway will also have the right to serve as access for the existing dwelling on proposed Lot 1 and the existing and proposed dwellings on the William McMillan, Jr. property which currently utilize it.

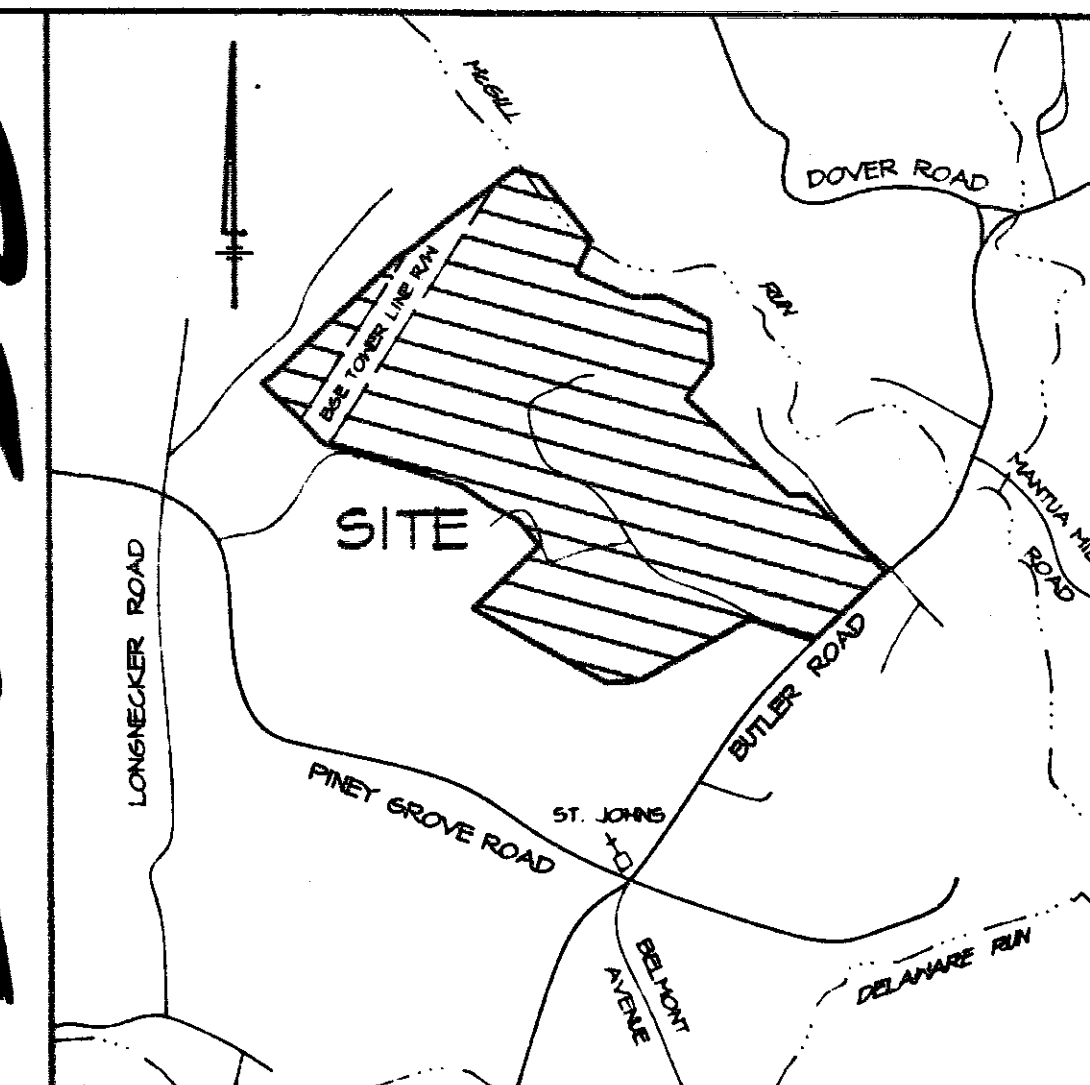
PLEASE PRINT CLEARLY

**PETITIONER(S) SIGN-IN SHEET**

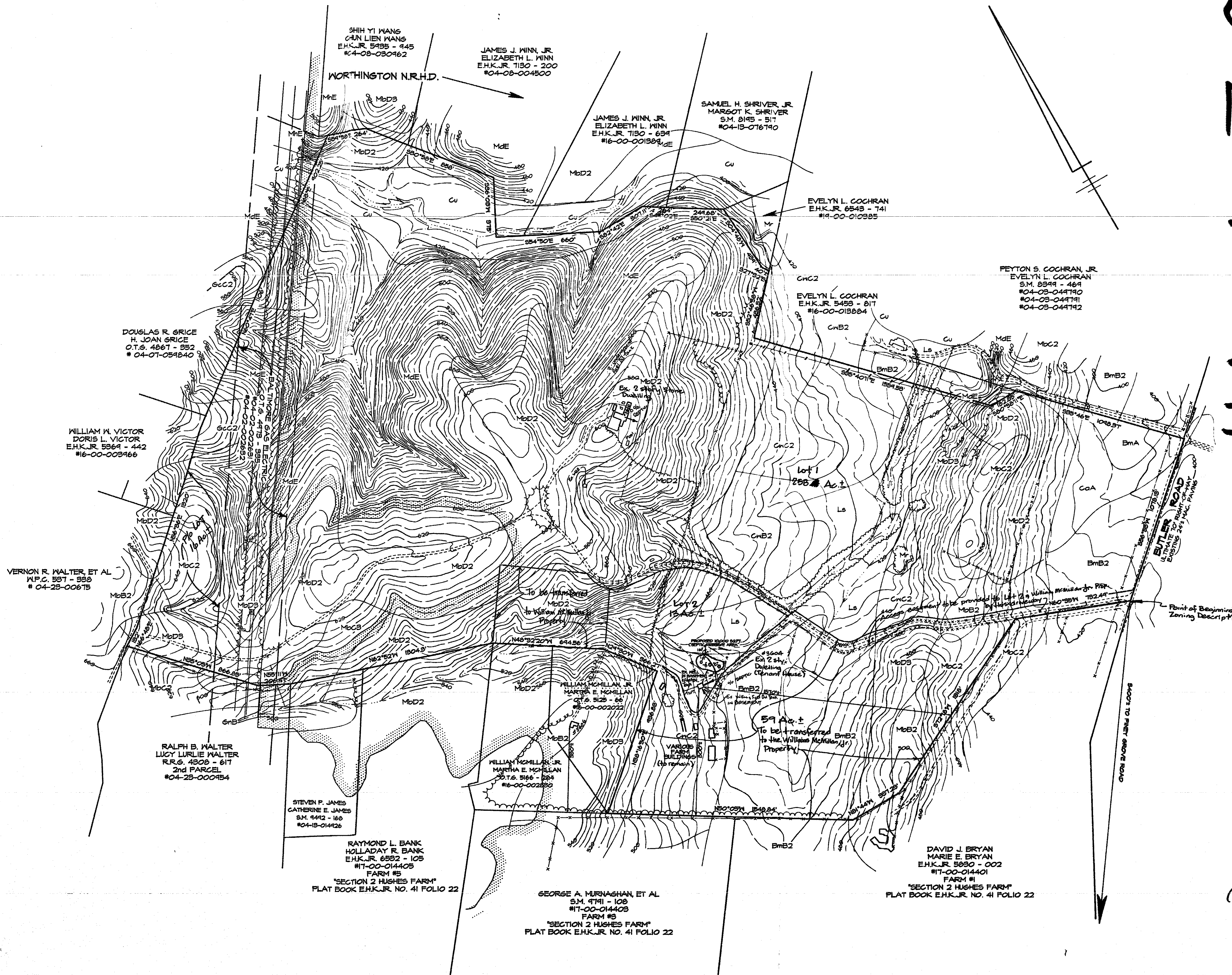
<u>NAME</u>	<u>ADDRESS</u>
ELEANOR McMILLAN	4919 WESTWAY DRIVE BETHESDA, MD 20816-1927
WILLIAM McMILLAN, JR	3606 BUTLER ROAD P.O. BOX 3603 GLYNDEN, MD 21071



95-259-SPH

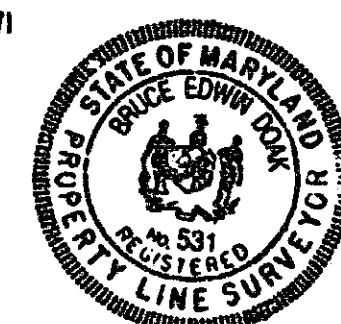


VICINITY MAP 1"=2000'



- \* WHOLE TRACT IS ZONED R.C.2
- \* THERE ARE NO PRIOR ZONING CASES
- \* THERE ARE NO WELLS OR SEPTICS LOCATED ON THE ADJOINING PROPERTIES WITHIN 200' OF THE PROPOSED S.R.A.'S ON SUBJECT PROPERTY

OWNER:  
WILLIAM MCMILLAN (dec.)  
3600 BUTLER ROAD  
GLYNDON, MARYLAND 21071  
(410) 424-2491  
(SON'S PHONE NUMBER)  
O.T.S. 4478 - 895  
ACCT. NO. 04-13-014925

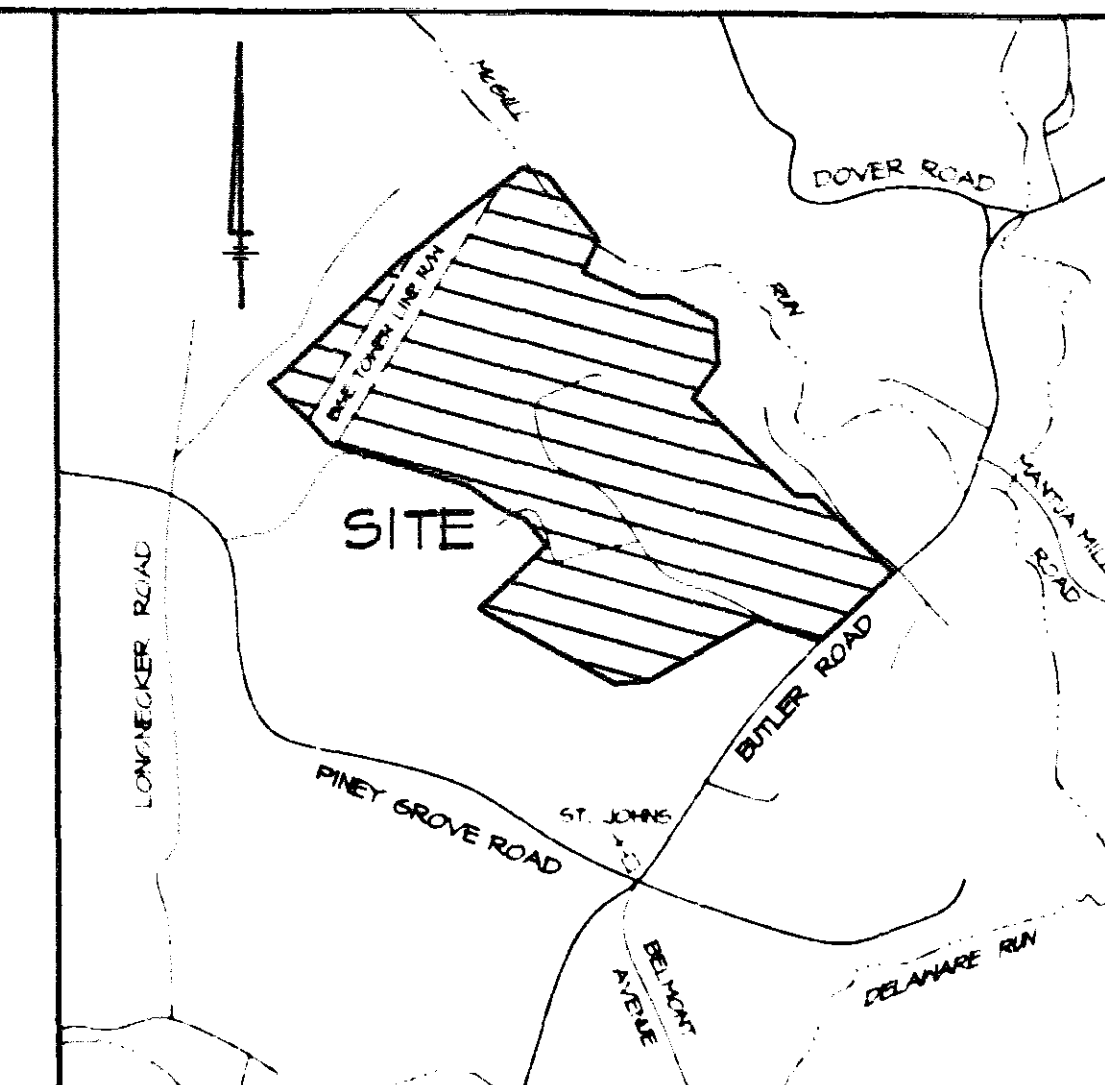


PLAN TO ACCOMPANY  
SPECIAL HEARING  
OF  
**MCMILLAN PROPERTY**  
LOCATED IN  
4th ELECTION DISTRICT  
3RD COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=300' DATE: JANUARY 18, 1995

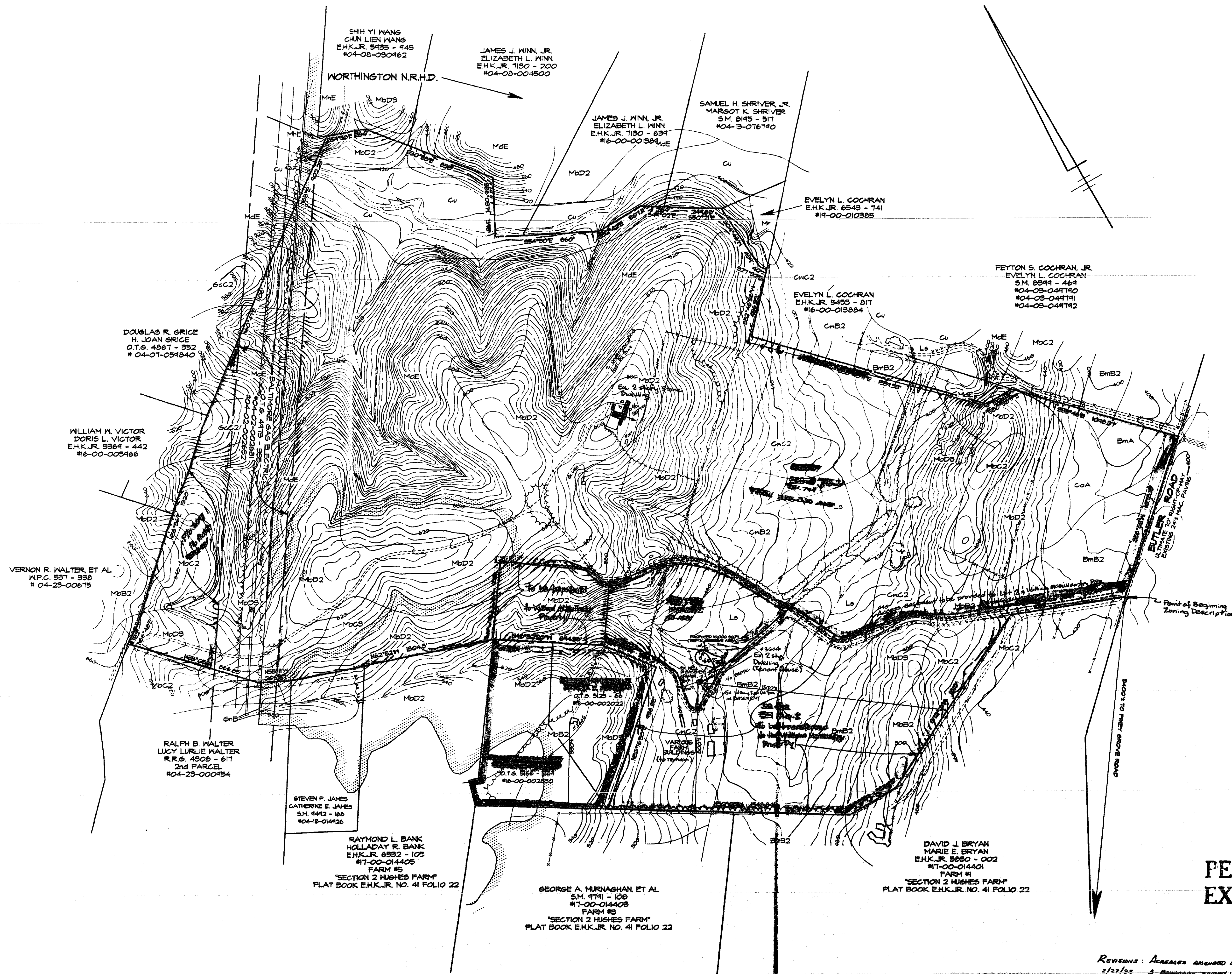
**GERHOLD, CROSS & ETZEL**  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Townsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4410

260





VICINITY MAP 1"=2000'



- WHOLE TRACT IS ZONED R.C.2
- THERE ARE NO PRIOR ZONING CASES
- THERE ARE NO WELLS OR SEPTICS LOCATED ON THE ADJOINING PROPERTIES WITHIN 200' OF THE PROPOSED S.R.A.'s ON SUBJECT PROPERTY

OWNER:  
WILLIAM MCMILLAN (dec.)  
5600 BUTLER ROAD  
GLYNDEN, MARYLAND 21071  
(410) 424-2491  
(SON'S PHONE NUMBER)  
O.T.S. 4475 - 995  
ACCT. NO. 04-13-014425

PLAN TO ACCOMPANY  
SPECIAL HEARING  
OF  
**MCMILLAN PROPERTY**  
LOCATED IN  
**PETITIONER'S 4th ELECTION DISTRICT**  
**EXHIBIT 1 3RD COUNCILMANIC DISTRICT**  
**BALTIMORE COUNTY, MARYLAND**  
SCALE: 1"=300' DATE: JANUARY 10, 1995

**GERHOLD, CROSS & ETZEL**  
REGISTERED PROFESSIONAL LAND SURVEYORS  
Suite 100  
320 East Towsontown Boulevard  
Towson, Maryland 21286  
(410) 823-4470

REVISIONS: ACCREASER AMENDED BASED ON  
2/27/95 - A Boundary Survey which was  
DONE AFTER THIS PLAN WAS  
SUBMITTED.



Complies with the spirit and  
intent of Zoning case No. 95-294-SPH

95-040-M

Zoning Commissioner \_\_\_\_\_ Date \_\_\_\_\_

Catherine A. M. H.  
J. J. M. H.  
16 June 95

SHIH YI WANG  
CHIN LIEN WANG  
E.H.K.J.R. 5485 - 445  
#04-08-090462

JAMES J. MINN, JR.  
ELIZABETH L. MINN  
E.H.K.J.R. 7180 - 200  
#04-08-004500

SAMUEL H. SHRIVER, JR.  
MARGOT K. SHRIVER  
S.M. 8145 - 517  
#04-13-076740

JAMES J. MINN, JR.  
ELIZABETH L. MINN  
E.H.K.J.R. 7180 - 634  
#16-00-001884

EVELYN L. COCHRAN  
E.H.K.J.R. 6543 - 741  
#19-00-010385

FEYTON S. COCHRAN, JR.  
EVELYN L. COCHRAN  
S.M. 8544 - 464  
#04-08-044740  
#04-08-044741  
#04-08-044742

WILLIAM N. VICTOR  
DORIS L. VICTOR  
E.H.K.J.R. 5361 - 442  
#16-00-003466

VERNON R. WALTER, ET AL.  
M.P.C. 551 - 335  
#04-25-00675

RALPH B. WALTER  
LUCY LURIE WALTER  
R.R. 6, 4338 - 617  
2nd PARCEL  
#04-23-000434

STEVEN P. JAMES  
CATHERINE E. JAMES  
S.M. 9442 - 68  
#04-13-014428

RAYMOND L. BANK  
HOLLADAY R. BANK  
E.H.K.J.R. 6552 - 105  
#17-00-014405  
FARM #2  
"SECTION 2 HUGHES FARM"  
PLAT BOOK E.H.K.J.R. NO. 41 FOLIO 22

WILLIAM MCILLAN, JR.  
MARTHA E. MCILLAN  
S.M. 8145 - 517  
#16-00-002223

DAVID J. BRYAN  
MARIE E. BRYAN  
E.H.K.J.R. 5880 - 002  
#17-00-014401  
FARM #1  
"SECTION 2 HUGHES FARM"  
PLAT BOOK E.H.K.J.R. NO. 41 FOLIO 22

GEORGE A. MURNAGHAN, ET AL.  
S.M. 7791 - 108  
#17-00-014403  
FARM #3  
"SECTION 2 HUGHES FARM"  
PLAT BOOK E.H.K.J.R. NO. 41 FOLIO 22

DETAIL SCALE 1"=100'

DETAIL SCALE 1"=100'

VICINITY MAP 1"=2000'

GENERAL NOTES

- BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL, MAP NO. 8, 20-1, 20-1, 20-1, 20-1, 20-1.
- ALL LOTS SHOWN HEREON TO BE SERVED BY PRIVATE WELL AND SEPTIC.
- SOIL TYPES TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 15 AND 16.
- HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS, AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED INTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
- THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD BY WILLIAM MCILLAN OR HIS ESTATE SINCE JULY 30, 1985. THE DEVELOPERS ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
- DESIGNATES 350' SIGHT LINE. THE AREA BETWEEN THE SIGHT LINE AND THE EDGE OF THE ROAD MUST BE CLEARED, GRADED, AND KEPT FREE OF ALL OBSTRUCTIONS.
- ALL EXISTING SEPTIC SYSTEMS, WELLS, AND PERCOLATION TESTS HERE FIELD LOCATED.
- SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREA.
- ACCESS TO EXISTING DWELLINGS MUST BE MAINTAINED AT ALL TIMES.
- THIS PROPOSED DEVELOPMENT IS IN CLOSE PROXIMITY TO ACTIVE AGRICULTURAL OPERATIONS. IT IS THE DEVELOPERS RESPONSIBILITY TO ADVISE FUTURE HOMEOWNERS THAT AGRICULTURE HAS A PREFERRED USE STATUS AND THAT ODORS, NOISE, DUST, FARM EQUIPMENT, LIVESTOCK, AND THE USE OF AGRICULTURAL CHEMICALS (PESTICIDES, FERTILIZERS, HERBICIDES, AND OTHER CONTROL AGENTS) ARE IN ACTIVE USE.
- CENSUS TRACT 4047 COUNCILMANIC DISTRICT 3 MATERSHED 12 SUBSENERSED 51
- EXISTING DWELLINGS ARE FOR SINGLE FAMILY USE. NO NEW DWELLINGS ARE PROPOSED.
- 35 FOOT BUILDING RESTRICTION LINES ARE ASSUMED ON ALL PROPERTY LINES EXCEPT AT BUTLER ROAD WHERE IT IS 75 FEET FROM THE CENTERLINE OF BUTLER ROAD.
- MARYLAND HISTORIC TRUST SITE BA 1H1 IS ON THIS SITE AND MUST BE PRESERVED. MCILLAN RUN IS A DESIGNATED GREENWAY. THIS MAY BE DEDICATED ONLY AFTER ALL ADJOINING PROPERTY OWNERS AGREE TO ALSO DEDICATE THEIR PROPERTY AND THAT BALTIMORE COUNTY SHOWS IT HAS THE FUNDS TO COMPENSATE THE PROPERTY OWNERS.
- THE WOODLANDS PORTION OF THIS PROPERTY HAVE HAD FOREST BUFFER EASEMENTS APPLIED ACCORDING TO ARTICLE IX, PROTECTION OF WATER QUALITY, STREAMS, WETLANDS AND FLOODPLAINS. THE AGRICULTURAL PORTIONS OF LOT 1 AND THE NON-DENSITY PARCEL HAVE HAD RIPARIAN BUFFERS APPLIED. PLEASE SEE SOIL & WATER CONSERVATION PLANS 4018A AND 4018C RESPECTIVELY. FOR THE BUFFER LIMITS. A CHANGE IN OWNERSHIP OR A CHANGE OF AGRICULTURAL USE REQUIRES THAT THE CONSERVATION PLAN BE REVISED OR THE FULL EXTENT OF THE FOREST BUFFER REGULATION SHALL BE APPLIED.
- THE FOREST BUFFER EASEMENT SHALL BE APPLIED TO THE ENTIRE PERIMETER OF THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT.
- ANY FOREST CONSERVATION EASEMENT OR FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- THE FOLLOWING USES ARE PERMITTED BY RIGHT WITHIN THE FOREST CONSERVATION EASEMENT: FISHING, NATURE STUDIES AND THE PASSAGE OF INDIVIDUALS LESS THAN 50 INCHES IN DIAMETER FOR PERSONAL USE. OTHER ACTIVITIES INCLUDING CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT REQUIRE APPROVAL OF THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT.
- 100 YEAR FLOODPLAIN IS CONTAINED WITHIN THE FOREST BUFFER EASEMENTS.
- THE VARIOUS FARM BUILDINGS HAVE BEEN RAZED OR REMOVED BY WILLIAM MCILLAN, JR.
- THE TWO DWELLINGS TO REMAIN SHALL REMAIN AS SINGLE FAMILY DWELLINGS.
- NO NEW CONSTRUCTION IS PROPOSED.
- ZONING CASE 95-294-SPH, APPROVED MAY 16, 1995, FOR THE APPROVAL OF A NON-DENSITY TRANSFER OF 14.482 AC, ZONED R.C.2, TO PERMIT CONTINUED ACCESS TO LOT 2, IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED, SUBJECT TO THE FOLLOWING RESTRICTIONS:  
1. THE PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK AND, AS SUCH, AS THE 30-DAY APPEALS PROCESS FROM THIS ORDER HAS EXPIRED, IF FOR ANY REASON THIS ORDER IS REVERSED, THE PETITIONERS SHALL BE RESPONSIBLE FOR ALL COSTS INCURRED BY THE COUNTY.  
2. PURSUANT TO SECTION 10-2-2 OF THE BALTIMORE COUNTY CODE, A NEW DEED INCORPORATING A RESPONSE TO THIS ORDER AND THE TERMS AND CONDITIONS SET FORTH HEREIN SHALL BE REQUIRED. THE DEED SHALL BE FILED WITH THE BALTIMORE COUNTY CLERK OF COURTS AND THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES MANAGEMENT (EAP) OFFICE FOR REVIEW IN THE CASE FILE.

FOREST BUFFER EASEMENT  
FOREST CONSERVATION EASEMENT

DOUGLAS R. GRICE  
H. JOAN GRICE  
C.S. 4861 - 352  
#04-07-054840

- |    |             |         |
|----|-------------|---------|
| 1  | N65°00'00"E | 344.84' |
| 2  | N45°00'00"E | 918.00' |
| 3  | N25°00'00"E | 140.00' |
| 4  | N50°48'00"E | 62.00'  |
| 5  | S80°01'00"E | 72.23'  |
| 6  | S26°30'00"E | 156.20' |
| 7  | N68°15'00"E | 22.14'  |
| 8  | S63°45'00"E | 300.00' |
| 9  | S52°30'00"E | 210.00' |
| 10 | S40°15'00"E | 284.44' |
| 11 | N44°00'00"E | 184.54' |
| 12 | S74°10'00"E | 581.01' |

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING
BmA	Slight	Slight	Slight
BmB2	Slight	Slight	Moderate: Slope
CmB2	Slight	Slight	Moderate: Slope
MbB2	Moderate: Slope	Moderate: Slope	Severe: Slope
MbB2	Moderate: Slope	Moderate: Slope	Severe: Slope
CaA	Severe: Slow Permeability; Seasonally Perched Water Table	Severe: Seasonally Perched Water Table	Severe: Seasonally Perched Water Table
Cu	Severe: Moderately High Water Table; Flooding Hazard	Severe: Flooding Hazard	Severe: Flooding Hazard
GnB	Severe: High Water Table; Moderately Slow Permeability	Severe: High Water Table	Severe: High Water Table
Ls	Severe: Moderately High Water Table; Moderate To Moderately Slow Permeability; Flooding Hazard	Severe: Flooding Hazard	Severe: Flooding Hazard
Mr	Mines, Dumps and Quarries		

SYMBOLS LEGEND

- FOREST BUFFER EASEMENT LINE
- SOIL LINE
- EXISTING WELL
- EXISTING SEPTIC CLEAN-OUT
- WORTHINGTON N.R.H.D. LINE
- EXISTING PAVING
- PASSED PERC TEST 6HJKL
- FAILED PERC TEST ABDEFJ
- CONTOURS
- SLOPES > 25%

DENSITY CALCULATIONS

GROSS AREA	348.046 Acres
HIGHWAY MEDIAN	0.000 Acres
NET AREA	0.000 Acres +/-
LOTS PERMITTED	348.050 = 6 LOTS
LOTS PROPOSED	2

OWNER/DEVELOPER

WILLIAM MCILLAN, JR. ET AL.  
3606 BUTLER ROAD  
GLYNDON, MARYLAND 21071  
410-424-2441

MINOR SUBDIVISION OF  
MCILLAN PROPERTY

3600 BUTLER ROAD

Deed Ref: R.R.G. No. 4494 folio 519

Tax Account No. 04-13-014925

Zoned R.C.-2

Tax Map 40 Grid 03 Parcel 78

4TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Scale: 1" = 300'

February 24, 1995

GERHOLD, CROSS & ETZEL, LTD.

REGISTERED PROFESSIONAL LAND SURVEYORS

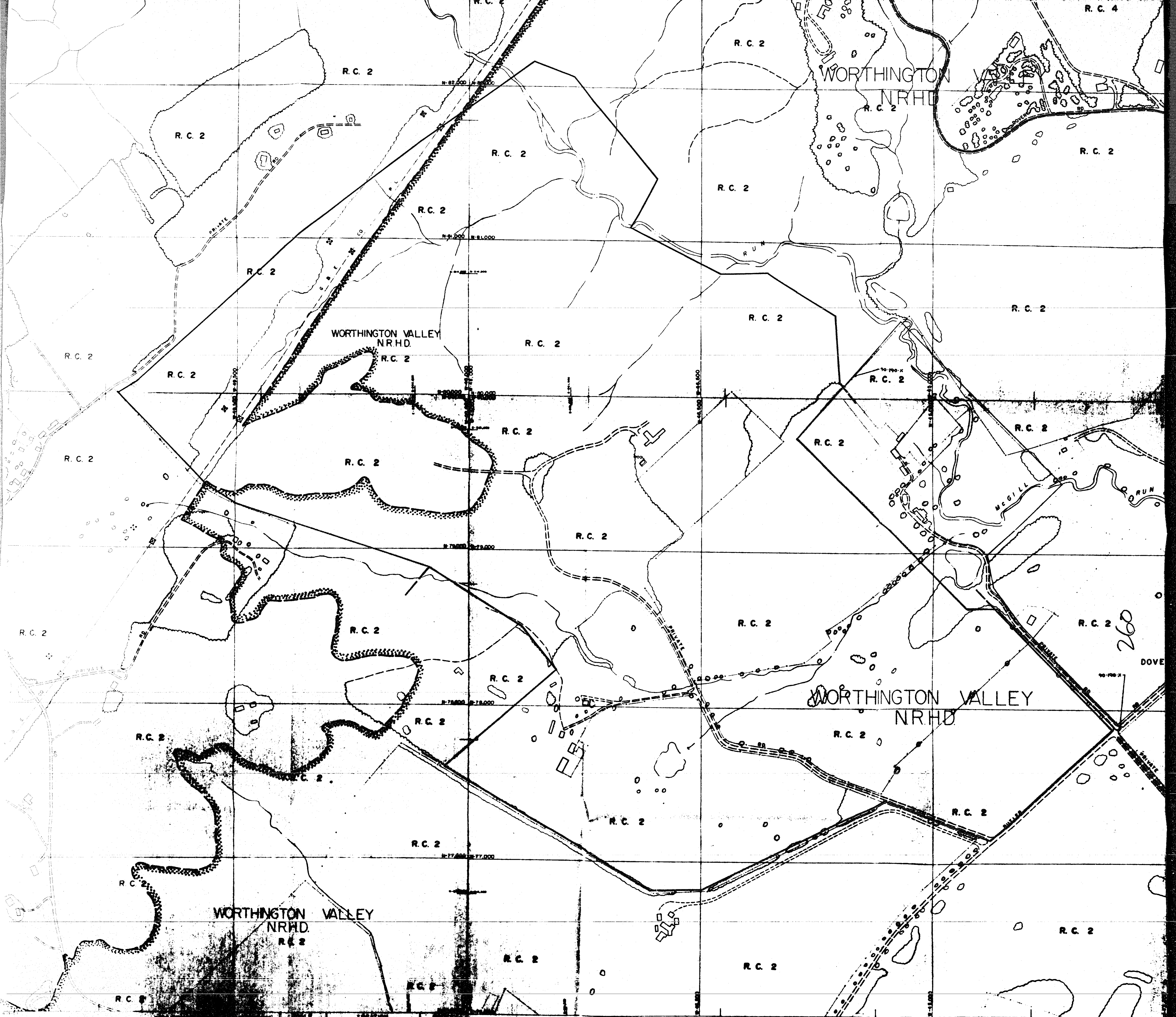
Suite 100

300 East Towson Boulevard

Towson, Maryland 21286

(410) 825-4470





BALTIMORE COUNTY  
PLANNING AND ZONING  
OFFICIAL ZONING MAP

SCALE  
200'

LOCATION  
SOUTHWEST  
OF PINEY

DATE  
OCTOBER 15, 1998

THIS MAP AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF BALTIMORE COUNTY AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING.

1998 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1998  
Baltimore County Council

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

1998 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1998  
Baltimore County Council